

**Application number:** 09/396005**Art Unit:** 3621**Applicant:** Khai Hee Kwan**Examiner:** James A Reagan**Title:** Method, apparatus and program to make payment in any currencies through a communication network system using prepaid cardsRemarks

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The applicant noted that in our previous response after final, mailed 22 Oct 2005 (which claims should be adopted under our RCE application dated 4 Dec 2005), claims 41-43 may violate 37 CFR 1.121 given there were no proper status identifier. We have entered the status identifier "NEW" for said claims as per above as they were NEW for the purposes of our response after final.

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In addition, the applicant after reviewing the specification again, noted another subject matter have not been previously claimed. The applicant therefore incorporates NEW claims 44-46. The reason for claim 44-46 is to include the point of sale terminal.

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Antecedent for this could be found in page 19 line 19 ( originally filed) and quoted below:

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To ensure further security, it is still an object of this invention to incorporate a point of sale terminal to include a database use to keep track of the cards sold, the amount, the time of sale and deactivation of a particular card. The point of sale terminal can also accept payment and make payment since it has a direct credit or debit facility linked to its account in the system.

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The applicant reasoned that Rosen has no teaching for point of sale terminal connected to a host server which is dependent on Claim 13,34,39.

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The reason for claim 47 is to suggest to the examiner a possible interference under 37 CFR 41.202 Suggesting an interference or see MPEP 2304.02.

- 5 1. The patent with which the applicant seeks an interference is Woodhill (US Pat 6934858 claiming earliest filing date Dec 15, 1999)
2. The applicant identifies Claim 55 of Woodhill (US Pat 6934858) being the broadest. It is also noted from the prosecution history that Claims 55 to 59 of Woodhill was added in
- 10 reference to additional matter in the specification dated Oct 25, 2004.

3.

09/396005 Claim 47-BODY ONLY	Woodhill (US Pat 6934858) Claim 55
establishing a first communications channel via a computer network between an individual at a location and a provider of at least one of a product or service;	establishing a first communications channel via a computer network between an individual at a location and a provider of at least one of a product or service;
transmitting at least an authentication indicium from the provider to the individual, using the first communications channel;	transmitting at least an authentication indicium from the provider to the individual, using the first communications channel;
	retrieving an address of the individual for establishing a second communications channel via a different network;
initiating communications, via the different network, with the individual; and	initiating communications, via the different network, with the individual at the address;

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returning the indicium, via the different network, for comparison to the transmitted indicium.	returning the indicium, via the different network, for comparison to the transmitted indicium, and, where substantially identical, providing an authenticated indicium to the provider.
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4. The applicant's 09/396005 has a US filing date of Sept 13-1999 and claims priority from an Australian application filed Aug 11 1999. In addition, during the prosecution of 09/396005, the applicant has provided evidence to show that constructive reduction to be
- 5 around May 1999. (See our submission dated May 16 2003 of this prosecution).

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5.

09/396005 Claim 47-BODY ONLY	Evidence from Specification as FILED
establishing a first communications channel via a computer network between an individual at a location and a provider of at least one of a product or service;	see page 7 line 13 to line 20.  One set of these codes is sent by the merchant system to the buyer in the form of an encrypted email and another to the host computer. For anonymous payment, on receiving this code, the buyer has to log onto the
transmitting at least an authentication indicium from the provider to the individual, using the first communications channel;	World-Wide-Web site of this Invention (the host computer) to input this code which usually has a timed life. This code will be analysed and matched to the merchant's code and the details of the purchase will be shown for verification. Alternative if he/she has an account or call a special number and follow the instructions to complete the purchase.
initiating communications, via the different network, with the individual; and	
returning the indicium, via the different network, for comparison to the transmitted indicium.	

Also See 09/396005 specification as filed page 8 line 5 – 10 :

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Even the email is intercepted, the code is encrypted and of little use. Up to the point where the codes are physically inputted back using computer keyboard or telephone pad and transmitted to the host computer, it has no value at all. For account users, a safety feature here is that only buyers

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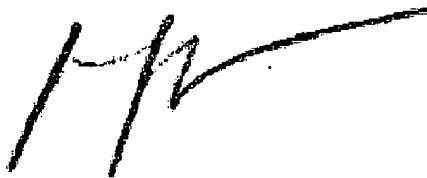
can logon to complete the transaction as the password, computer IP address and telephone number are recorded as well.

6. Constructive reduction is found in our write up with the original draft ( 2<sup>nd</sup> draft) dated  
5 10 May 1999 as submitted to USPTO – mailed May 16 2003 ( in PAIR record).

Total Claims now 20 with 5 independent and 15 dependent. Because Claim 47 is an independent claim, we have included payment of US 100 through PTO 2038 as attached. Where restriction or election is required, the applicant proposed to continue prosecuting  
10 all existing claims except for claim 47 given that claim 47 was only introduced to suggest a possible interference.

The Applicant would like to ask the examiner to email khkwan@yahoo.com if there is any problem with the above amendments sought. The applicant would appreciate a time  
15 for an interview where applicable to advance this application. To avoid any confusion, the amendment sought here supersedes any previous amendment as per our response mailed Oct 22 2005 for Final Action Letter Sept 30, 2005.

Yours truly,



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Khai Kwan

6 February, 2006

25 Attachment PTO 2038 ( 1 Page)

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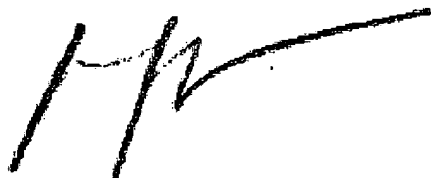
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**Declaration 37 CFR 1.132**

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that  
10 these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of any application, any patent issuing thereon, or any patent to which this verified statement is directed.

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Khai Hee KWAN

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Australia  
6 Feb 2006

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